

THE WHITE HOUSE
WASHINGTON

January 17, 1973

Dear President Thieu:

I have received your letter of January 17, 1973, and I have studied it with the greatest care.

I must repeat what I have said to you in my previous communications: The freedom and independence of the Republic of Vietnam remains a paramount objective of American foreign policy. I have been dedicated to this goal all of my political life, and during the past four years I have risked many grave domestic and international consequences in its pursuit. It is precisely in order to safeguard our mutual objectives that I have decided irrevocably on my present course. I am firmly convinced that the alternative to signing the present Agreement is a total cutoff of funds to assist your country. We will therefore proceed to initial the Agreement General Haig has brought you on January 23, 1973 and sign it on January 27, 1973. Thus we have only one decision before us: whether or not to continue in peacetime the close partnership that has served us so well in war.

Let me comment on the specific concerns raised in your letter. With respect to the protocols, I am bound to point out that these criticisms come extremely late considering the fact that for two and a half months we have been asking for your Government's joint participation in the drafting of these documents and your comments upon them. As late as January 16 your representatives in Paris refused to give any comments to Ambassador Sullivan. In our negotiations on these documents we

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By ADH

NARA, Date 3-26-92

(NLN 90-27)

have protected your interests and ensured that the protocols remain essentially technical instruments to help implement the Agreement. We believe the protocols are sound and serve further to strengthen the settlement.

With respect to the text of the Agreement, you list favorable provisions which you claim have been deleted from the Agreement. In reality, however, these provisions were never part of the Agreement; they were changes which we tried vigorously but without success to make in the text on your behalf. I might add that with respect to many of these issues, such as the political provisions, your January 5 letter had already accepted the outcome.

On the other hand, as you know, we have managed, through very strenuous negotiations, to incorporate many other of your Government's suggestions in the October draft. My January 14 letter and General Haig's presentation highlighted these improvements. Significant changes we have achieved, in part due to your Government's policy, include the following:

- In the document that your Government would sign, the PRG is not mentioned anywhere in the Preamble or text, while the Republic of Vietnam is mentioned.

- Military assistance permitted under the replacement provision has been expanded to include material that has been "used up" and "destroyed" in addition to "damaged and worn out."

- References to the U.S. being required to respect the political self-determination of South Vietnam have been expanded to include all countries.

- The phrase "administrative structure" used to describe the National Council, whose Vietnamese translation suggested a somewhat "governmental structure," has been entirely deleted.

-- The role of the National Council has been further diluted by eliminating its role in the maintenance of a ceasefire and the preservation of peace.

-- The reduction of military effectives on both sides and their demobilization is now to be accomplished "as soon as possible."

-- South Vietnamese foreign policy is to be conducted on the basis of "mutual respect for independence and sovereignty," highlighting your country's sovereign status.

-- North Vietnam is now obligated to respect the demilitarized zone on either side of the provisional military demarcation line.

-- The ICCS "shall carry out its tasks in accordance with the principle of respect for the sovereignty of South Vietnam."

-- The four parties are obligated to strictly respect the 1954 and 1962 Geneva Agreements.

-- The reference to "three" Indochinese countries has been deleted.

-- The interval between the Vietnam ceasefire and the Laos ceasefire has been shortened from 30 to no more than 15 days.

-- The international control machinery has been fleshed out and will now be able to begin functioning immediately after the ceasefire.

All of these improvements in the October Agreement have been obtained without granting any changes favorable to the Communists.

In addition to strengthening the Agreement itself, as my January 14 letter pointed out, your overall political and

security position has been bolstered in many ways in preparation for a ceasefire.

With respect to modifications you still seek in the Agreement, I must point out again that the text of the Agreement, the method for signing, and the protocols are the best obtainable. They can no longer be changed. On the signing procedure, General Haig has fully covered this issue with you. Your Government would sign a document which does not mention the PRG anywhere in the text. This Agreement would be signed first, with separate signature pages for the two sides, and it would make no reference to the two-party document. This is a major improvement over the previous procedure and one that fully protects your position.

In any event this discussion of specific provisions is to a large extent now irrelevant. As I have told you on many occasions, the key issue is no longer particular nuances in the Agreement but rather the postwar cooperation of our two countries and the need for continued U.S. support. It is precisely for this support that I have been fighting. Your rejection of the Agreement would now irretrievably destroy our ability to assist you. Congress and public opinion would force my hand. It is time, therefore, to join together at last and protect our mutual interests through close cooperation and unity.

As General Haig has told you, I am prepared to send Vice President Agnew to Saigon in order to plan with you our postwar relationship. He would leave Washington on January 28, the day after the Agreement is signed, and during his visit he would publicly reaffirm the guarantees I have expressed to you. Let me state these assurances once again in this letter:

-- First, we recognize your Government as the sole legitimate Government of South Vietnam.

-- Secondly, we do not recognize the right of foreign troops to remain on South Vietnamese soil.

-- Thirdly, the U.S. will react vigorously to violations to the Agreement.

In addition I remain prepared to meet with you personally three to four weeks later in San Clemente, California, at which time we could publicly reaffirm once again our joint cooperation and U.S. guarantees.

Against this background I hope that you will now join us in signing the Agreement. Because of the gravity of the situation and the consequences for the future, I have instructed General Haig to return to Saigon Saturday morning, January 20, 1973. This is the latest possible occasion for us to have your final position so that I will know whether he will be proceeding alone or together with you. The schedule is final and cannot be changed in any way. Dr. Kissinger will initial the Agreement in Paris on January 23; I will make a brief address to the American people that evening; and the formal signing will take place on January 27, 1973. If you refuse to join us, the responsibility for the consequences rests with the Government of Vietnam.

As I said in my previous letter, I would very much like to meet with Foreign Minister Lam on January 25 on his way to Paris for the signing ceremony, and I look forward to seeing you in the near future.

Let me close by saying that I respect the intensity with which you are defending the interests of your country. I recognize that the Agreement is not an ideal one, but it is the best possible one that can be obtained under present circumstances, and I have explained why these circumstances require a settlement now.

It seems to me that you have two essential choices: to continue a course, which would be dramatic but short-sighted, of seeking to block the Agreement; or to use the Agreement constructively as a means of establishing a new basis for American-South Vietnamese relations. I need not tell you how strongly I hope that you will choose what I am firmly convinced to be the only possible path to secure our mutual objectives.

Sincerely,

His Excellency
Nguyen Van Thieu
President of the Republic of Vietnam
Saigon